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PATENT

Attorney Docket No.: A-64360-2/TAL/NHT

Attorney File No.: 465840-00087

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BUELOW et al.

Serial No. 10/780,321

Filing Date: February 17, 2004

For: *Cytomodulating Lipophilic Peptides
for Modulating Immune System
Activity and Inhibiting Inflammation*

Examiner: Not Yet Assigned

Art Unit: 1644

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

Dated: August 13, 2004

Signed: 
Brent Yonehara

**INFORMATION DISCLOSURE STATEMENT
AND
STATEMENT OF RELATEDNESS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed.

Further, this application is a continuation of the following related U.S. Application – Serial No. 09/028,083, filed February 23, 1998 (now Patent No. 6,696,545 B1), which is a continuation-in-part of the following related U.S. Application – Serial No. 08/838,916, filed

April 11, 1997 (pending), upon which the instant application relies for its priority date. Since copies of these references were provided either by Applicants or the Examiner, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following pending patent application:

1. U.S.S.N. 08/838,916, filed April 11, 1997.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

Serial No. 10/780,321
Filing Date: February 17, 2004

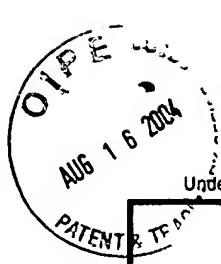
While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 465840-00087 [A-64360-2/TAL/NHT]).

Respectfully submitted,
DORSEY & WHITNEY LLP.

Dated: 8/12/04
Customer Number: 32940
Dorsey & Whitney LLP
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By: 
Todd A. Lorenz, Reg. No. 39,754

Attachments : Form PTO/SB/8A, Substitute for form 1449
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|---|----------------------------------|----|--------------------------|------------------|--|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | 10/780,321 | |
| | | | Filing Date | January 27, 2004 | |
| | | | First Named Inventor | BUELOW, Roland | |
| | | | Group Art Unit | Not Yet Assigned | |
| Examiner Name | Not Yet Assigned | | | | |
| Attorney Docket Number | A-64360-2/TAL/NHT (465840-00087) | | | | |
| Sheet | 1 | of | 3 | | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|---|-----------------------------|---|---|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| | A4 | 6,162,434 | 12-19-2000 | Buelow et al. | |
| | A5 | 6,696,545 B1 | 02-24-2004 | Buelow et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|-----------------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | B1 | WO 88/05784 | 08-11-1988 | Trustees of Stanford University | | |
| | B2 | WO 90/10016 | 09-07-1990 | Regents of Univ. of California | | |
| | B3 | WO 93/08817 | 05-13-1993 | Trustees of Stanford University | | |
| | B4 | WO 93/17699 | 09-16-1993 | Trustees of Stanford University | | |
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| | B6 | WO 95/13288 | 05-18-1995 | Trustees of Stanford University | | |
| | B7 | WO 96/22306 | 07-25-1996 | No. Sydney Area Health SE | | |
| | B8 | WO 96/35443 | 11-14-1996 | Sangstat Medical Corporation | | |
| | B9 | WO 97/24140 A1 | 07-10-1997 | Trustees of Stanford University | | |
| | B10 | WO 97/44052 A1 | 11-27-1997 | Trustees of Stanford University | | |
| | B11 | WO 97/44351 A1 | 11-27-1997 | Trustees of Stanford University | | |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | |
|---|-----------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ⁶ |
| | C1 | ABRAHAM, R.J., et al., "Charge Calculations in Molecular Mechanics 7: Application to Polar Pi Systems Incorporating Nitro, Cyano, Amino, C=S and Thio Substituents," <i>J. Comput. Aided Molec. Des.</i> 3(2):175-187 (1989). | | |
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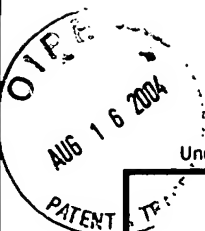
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| Examiner Signature | Date Considered |
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English Language Translation is attached.

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| Substitute for form 1449A/PTO (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | 10/780,321 | |
| | | | Filing Date | January 27, 2004 | |
| | | | First Named Inventor | BUELOW, Roland | |
| | | | Group Art Unit | Not Yet Assigned | |
| | | | Examiner Name | Not Yet Assigned | |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | P ² |
| | C5 | BUELOW, R., et al., "Immunomodulation by soluble HLA class I," <i>Transplantation</i> 59:649-654 (Mar. 1995). | |
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| | C12 | GRASSY, G., et al., "Computer-assisted rational design of immunosuppressive compounds," <i>Nat. Biotechnol.</i> 16(8):748-752 (Aug. 1998). | |
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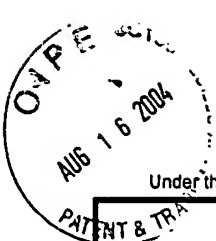
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